

S E C R E T

UCA FILE

OCA 88-3782  
7 November 1988Leg  
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## MEMORANDUM FOR THE RECORD

SUBJECT: HPSCI Arranged Meeting with Former Spouses

1. At the invitation of the HPSCI staff, I accompanied General Counsel, Russ Bruemmer and attorney, Kaly DeWeese to H-405 this afternoon to meet with a group of former Agency spouses. The spouses included [redacted] Barbara Colby, [redacted] Also [redacted] accompanying the group was a former DO officer, [redacted] who briefed on the life of a case officer overseas, and Patricia Ryan, Legislative Liaison for the Association of American Foreign Service Women, who described how the State Department handled affairs under former spouse legislation. Mike O'Neil served as the spokesman for the HPSCI staff with Bernie Raimo, Louis DuPart and Steve Nelsen in attendance. Charles Battaglia from the SSCI also attended the session as he is following the issue for his committee.

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2. Mrs. Colby kicked off the session complaining about the pace of Agency performance in implementing the provisions of the former spouse legislation. She said that in 1982, General Counsel Sporkin had testified that the Agency was forming a task force to listen to the views of former spouses and to make recommendations, but the task force does not exist and it is 1988. The ad in the Washington Post, announcing eligibility of former spouses to receive a share of their husband's retirement annuity, appeared only on one day. If it weren't for a front page item in the Wall Street Journal drawing attention to the lead ad in the Washington Post, it may well have gone unnoticed. She concluded that their performance at the sides of their husbands deserved better treatment than that and she was convinced that other things could be done by the Agency to publicize the benefit and assist former spouses in getting it.

3. [redacted] reported to the group on her experiences in an overseas station [redacted] when all CIARDS officers were instructed to notify their wives of the annuity benefit. After the case officers had certified that their wives were notified, she spoke to all the wives and discovered that a significant percentage of them were unaware of the benefit.

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S E C R E T

4. [redacted] former spouse of an LA Division officer, described her experiences trying to deal with a husband who made it very difficult for her. She also believed that the Organization had a responsibility to establish a direct channel with Agency spouses so that they did not have to depend on the husband to pass along details of benefits that applied to them. [redacted]

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4. Russ Bruemmer closed out the meeting by thanking the former spouses for their candor and for giving him the opportunity to go back and look into what Personnel was doing with the recommendations submitted by their group. The General Counsel said that some of the recommendations were very good and would be implemented, such as the former spouse advisory board with representatives from each directorate (to include former and divorced spouses) reporting through the Director of Personnel.

5. Surprisingly the meeting was very cordial. It is clear though that the former spouses, as well as the HPSCI, and by extension the SSCI, believe not enough is being done to assist them. We have some good will on this issue but both Committees are looking for some quick action. We can't afford to let too much time pass before we get back to them with some action proposals.

[redacted]  
Deputy Director, House Affairs  
Office of Congressional Affairs

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ORIG: DD/HA/OCA [redacted] (17 Nov 88)

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Distribution:

Original - OCA Record  
1 - General Counsel  
1 - Director of Personnel  
1 - SA/OCA [redacted]  
1 - NHG Chrono

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7 November 1988

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The November 1985 Working Woman magazine reports that 50 percent of all women fear becoming destitute: "Bag lady syndrome."

Lenore Weitzman in the Divorce Revolution calculates that by and large women undergo a 73-percent decline in their standard of living following a divorce.

Men experience a 42-percent increase.

This decline impacts equally heavily on children in the family.

The National Center for Health Statistics reports that women can expect to live longer than men by 7 years. In their retirement years, the average income for women is \$6,000.

For men \$10,000.

In hearings for the Foreign Service and CIA Spouses' Benefits legislation, Congresswoman Schroed reported that in the great majority of cases, divorced women *(only partial alimony due them and many)* received not one cent in support.

\* \* \* \*

CIA spouses---who are nearly always women--face unique difficulties in divorce court:

A dependent spouse must rely on her husband to bring home information that he knows can take away from him 50 percent of his retirement annuity. This, despite the fact that he may already have committed himself to caring for another woman.

Secrecy inhibits a wife through loyalty to the Agency mission. Employees KNOW what is "secret." Many employees can be so used to lying that they may be less than truthful in court. And whatever an employee says will be difficult to disprove because nearly everything about his work--including income--is classified.

Wives believe that they must have "cleared" lawyers. These lawyers know they will continue to be recommended by the Agency if the employee's rights are protected.

Wives have little or no money to pay for lawyers, and lawyers are all too aware of this. In addition, many wives have depended upon their husbands for major decisions throughout a long marriage. One reported that even when she was in divorce court, she regarded her husband as her protector. "He is my best friend," she said. Other wives have allowed their husband to select a lawyer to defend the wives' case, and to write the divorce settlement.

Local lawyers are ignorant of the fact that special CIA legislation exists. This ignorance is probably even more extreme in other parts of the country. Divorces are being written under Civil Service legislation which does not vest the dependent spouse with a "presumed right" to a pro-rata share of retirement and survivor annuities. Instead, smaller proportions are being given the wife as alimony. Wives who think they have argued for and are receiving a share in the CIARDS pension are, instead, receiving an allotment.

And as alimony---as noted in many cases this is a US Government check---this income can be adjusted downward at any time at the discretion of the court and will cease with the death of the employee.

"Alimony" will not give the spouse rights to group health insurance. And depending upon how the divorce decree is worded, a former wife may agree to waive survivor's annuity also.

Question of domicile is difficult to determine. Husbands with more income can afford to argue their divorces through a series of court systems. One divorce started in Scotland and was "completed" in Nigeria. In another, the wife had no money to travel to Honolulu to defend herself in divorce court. (She was given "rehabilitative alimony." In her 50s at the time of divorce, she has a few years of support and then she must be completely self-supporting through the difficult years of old age.)

CIA actions indicate that the Agency believes it has obligations only to its employees. Regulations implementing Former Spouse regulations are classified. The Family Employee Liaison Office will not help wives contemplating divorce. FELO staff report that their instructions are to assist employees only. (Wives are helped to prepare for overseas assignments and returns stateside.) Lawyers and spouses have trouble reaching knowledgeable sources within the Agency and then must know the questions to ask. Foreign-born spouses are at particular risk in such situations.

And personnel changes mean that CIA staff can be unsympathetic and unknowledgeable concerning the information that these CIA wives and their lawyers need to proceed with divorce proceedings fairly and equitably.

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**Meeting of House Select Committee on Intelligence Staff  
CIA Executives, and Volunteers  
Representing Former Spouses of CIA Employees  
7 November 1988**

**TOPIC:** Implementation of Former Spouse legislation and identification of particular needs, as follows:

- o To inform all dependent spouses of employees in CIA's overseas service concerning legislated benefits in a complete and timely fashion throughout the employee's career.
- o To develop a two-way communication channel between such spouses and CIA management. Suggested methods include a well publicized hotline and official mailings sent directly to spouses.
- o To establish an advisory board whose membership includes dependent spouses of overseas officers, for example, Chiefs of Stations' wives. We recommend that this board meet directly and regularly with top CIA management to discuss the above topics, as well as other items of importance to families in the overseas service.

**VOLUNTEER REPRESENTATIVES:**

Barbara Colby, former spouse of former CIA Director, William E. Colby.

retired CIA overseas officer. Service: Far East and Europe.

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wife of former COS with service in the Far East.

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CIA wife now involved in divorce proceedings from CIA officer in the overseas service.

former spouse of CIA officer and COS with service in the Far East and Africa.

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And---

Patricia Ryan, Legislative Liaison for the Association of American Foreign Service Women.

## RECOMMENDATIONS FOR PROVIDING DEPENDENT SPOUSES WITH INFORMATION

1. Preparation of an information packet to be given directly to the spouses of all overseas employees as they enter on duty. This information should be updated throughout the employee's career. Guidance could include procedures to ensure that classified information, if any, be handled in an appropriate manner.
2. Information concerning legislated benefits should be available at all Family Employee Liaison Offices for use by both employees and spouses. Information could also be given out at seminars, training courses, and briefings for spouses and employees, including supervisors and Chiefs and Deputy Chiefs of Station. (We urge a greater inclusion of spouses in such training.)
3. A well publicised "hotline" telephone number to answer questions by spouses and their lawyers before divorce papers are written.
4. Information should be provided periodically in the national press, retiree publications, and annuitant and employee bulletins. A single notification on an important topic is insufficient. The publications should be selected from among those that CIA spouses can be expected to see and read.
5. A series of mailings should be sent to all current employees to establish a data bank of the identities of all current, and if possible, former spouses of employees, former and retired. The mailings should then be sent directly to the identified spouses, current and former, except in the few cases where security precludes direct contact. (Foreign Service lawyers have determined that no invasion of privacy occurs when official Government communications are sent directly to individual citizens.)

## RECOMMENDATIONS FOR AN ADVISORY BOARD ON FAMILY ISSUES

1. Members should be spouses of CIA overseas employees--either Chiefs of Station or ranking Communications Officers. Selection should be based on demonstrated records of community service, good interpersonal skills, and experience gained from two tours of duty overseas. Consideration should be given to including representatives of DS&T and former spouses.
2. The Board should report to and be directly within the responsibility of a top CIA executive, for example, the Director of CIA or of Administration. The highly successful Family Liaison Office of State Department is directly under the Under Secretary of State for Management.
3. All Board members should have returned from overseas as recently as two years ago or less and should serve two-year terms. Their time should be paid for.
4. Establishing such a Board would give dependent spouses the message that they and the services they provide to the overseas mission are recognized and of major concern to top-level management.